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Attorneys for Defendant  
UNITED BEHAVIORAL HEALTH  
(Additional Counsel on Signature Page)

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

DAVID AND NATASHA WIT, et al.,  
Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH,  
Defendant.

Case No. 3:14-CV-02346-JCS  
Related Case No. 3:14-CV-05337-JCS

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING PROPOSED  
BRIEFING SCHEDULE**

GARY ALEXANDER, et al.,  
Plaintiffs,

v.

UNITED BEHAVIORAL HEALTH,  
Defendant.

Judge: Hon. Joseph C. Spero

Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, and the Court's February 7, 2025 Order (ECF No. 655), the parties in the above-captioned consolidated actions, by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, on February 6, 2025, the Parties submitted a Joint Case Management Statement and Request for Scheduling Order in which they advised the Court that the Ninth Circuit had granted UBH's petition for a writ of mandamus and stated their agreement that there are two "threshold" questions this Court must now decide: (1) what portion of the Plaintiffs' breach of fiduciary duty claim, if any, remains in the case; and (2) whether any surviving portion of the breach of fiduciary duty claim is subject to administrative exhaustion (and if so, whether such requirements have been satisfied) (ECF No. 654);

WHEREAS, on February 7, 2025, the Court ordered that briefing on the issues concerning Plaintiffs' breach of fiduciary duty claims will proceed through a four-brief structure, with Plaintiffs filing the opening brief (ECF No. 655);

WHEREAS, the Court's February 7, 2025 Order requested that the Parties submit a joint proposed briefing schedule that leaves at least six weeks between the deadline for UBH to file its sur-reply and the proposed motion hearing date (ECF No. 655);

WHEREAS, Plaintiffs and UBH have met and conferred regarding the briefing schedule and have agreed on the dates set forth below;

WHEREAS, the Parties will meet and confer, and will submit a joint statement or stipulation to the Court regarding page limits for the briefing on Plaintiffs' breach of fiduciary duty claim on March 10, 2025;

**IT IS HEREBY STIPULATED AND AGREED** that, subject to the approval of the Court, the following shall be the schedule for briefing on the breach of fiduciary duty claims:

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Date	Event
March 10, 2025	Parties to Submit a Joint Statement or Stipulation to the Court regarding Page Limits
March 21, 2025	Deadline for Plaintiffs to File Opening Brief
April 25, 2025	Deadline for UBH to File Response Brief
May 16, 2025	Deadline for Plaintiffs to File Reply Brief
June 6, 2025	Deadline for UBH to File Sur-Reply Brief
July <sup>30</sup> <del>23</del> , 2025 by Zoom video	Hearing on Pending Issues Concerning Plaintiffs' Breach of Fiduciary Duty Claims

Dated: February 14, 2025

Respectfully submitted,

ZUCKERMAN SPAEDER LLP

/s/ Caroline E. Reynolds

Caroline E. Reynolds  
D. Brian Hufford  
Jason S. Cowart  
Joshua Mathew

PSYCH-APPEAL, INC.  
Meiram Bendat

*Attorneys for Plaintiffs and the Classes*

Dated: February 14, 2025

CROWELL & MORING LLP

/s/ Jennifer S. Romano

Jennifer S. Romano  
Andrew Holmer

*Attorneys for Defendant United Behavioral Health*

**ATTESTATION**


Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: February 14, 2025

/s/ Jennifer S. Romano  
Jennifer S. Romano

**PURSUANT TO STIPULATION, IT IS SO ORDERED AS MODIFIED.**

Date: February 18, 2025

  
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The Honorable Joseph C. Spero  
United States Magistrate Judge